## REMARKS

Claims 1, 32, 38, 43 and 46 are amended as shown herein. Claims 9-10, 13-21, 23-29 and 31 are cancelled herewith. Applicant expressly reserves the right to pursue the cancelled claims in one or more continuation or divisional applications.

Claims 1-8 and 32-48 are pending for consideration. In view of the following amendments and remarks, Applicant respectfully requests that this application be allowed and forwarded on to issuance.

### Examiner Interview

Applicant respectfully thanks the Examiner and his Supervisor for the time spent on December 13, 2006 discussing the disposition of this case with Applicant's representative via telephone. Therein, Applicant's representative, the Examiner and his Supervisor discussed the cited art and some claim modifications that would potentially receive favorable treatment by the Examiner. While Applicant believes that such modifications are unnecessary, in the spirit of advancing prosecution of this matter, Applicant has made the clarifying amendments listed above and discussed below.

### § 102 and § 103 Rejections

Claims 9, 10, 13 and 14 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication No. 2002/0193895 ("Qian").

Claims 1, 3 and 8 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Japanese document JP04013288A ("Aoyama"), in view of U.S.

Patent Application Publication No. 2002/0159757 ("Ando").

Claim 7 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Aoyama in view of Ando, in further view U.S. Patent Application Publication No. 2005/0162551 ("Baker").

Claim 2 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Aoyama in view of Ando, in further view U.S. Patent Application Publication No. 2002/0173968 ("Parry").

Claims 4-6 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Aoyama in view of Ando, in further view U.S. Patent No. 5,654,516 ("Tashiro").

Claims 15-17, 19, 21, 23-28 and 31 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,649,234 ("Klappert"), in view of Aoyama and in further view of Baker.

Claim 18 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Klappert in view of Aoyama and Baker, in further view of Parry.

Claim 20 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Klappert in view of Aoyama and Baker, in further view of U.S. Patent Application Publication No. 2003/0100965 ("Sitrick").

Claim 29 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Klappert in view of Aoyama and Baker, in further view of Qian.

Claims 32, 33 and 35-37 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Tashiro, in view of U.S. Patent No. 5,469,370 ("Ostrover).

Claim 34 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Tashiro in view of Ostrover, in further view of Parry.

Claims 38, 39 and 41 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,194,682 ("Okamura"), in view of Ando.

Claim 40 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Okamura in view of Ando, in further view of Parry.

Claim 42 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Okamura in view of Ando, in further view of Tashiro.

Claims 43-46 and 48 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Qian in view of Aoyama.

Claim 47 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Qian in view of Aoyama, in further view of Okamura.

### Preliminary Remarks

Each of the independent claims 1, 32, 38, 43 and 46 has been amended as indicated above and in accordance with the telephonic interview of December 13, 2006. In particular, the subject matter of each independent claim has been amended to clearly indicate respective method steps and/or functionalities that are automated in nature and performed without user assistance. The attention of the Office is directed, as a particular example, to the following excerpt from claim 1, as amended, which recites, in part:

"automatically selecting an alternate lyric set to be displayed based on a hierarchical list of language priorities provided by a lyric synchronization module when the automatic searching indicates that the lyric set is unavailable in the preferred sublanguage, <u>the automatic selecting performed without user assistance</u>" (Emphasis added.)

The Applicant asserts that none of the respectively cited references to Aoyama, Ando, Tashiro, Ostrover, Okamura or Qian, under which the independent claims were variously rejected, whether considered alone or in any permissible combination, teaches or suggests the "automatic" subject matter of the pending claims, as amended. The Applicant further asserts that each of the independent claims 1, 32, 38, 43 and 46 as respectively amended, is patentable for and should be allowed. As claims 2-8, 33-37, 39-42, 44-45 and 47-48 respectively depend from independent claims 1, 32, 38, 43 and 46 it is axiomatic that they too are allowable.

The Applicant further comments and argues as indicated below with respect to each of the references noted immediately above.

### Aoyama

This reference is drawn to a karaoke device (10) by which a user may view lyrics of song on a monitor (24) while sound information is being played. (Fig. 1; pages 2-5 of Aoyama (English translation). Furthermore, Aoyama states that a user may select from various letter types (e.g., hiragana, katakana, English, Chinese characters, etc.) to display the corresponding lyrics by way of a switch (10b) (Fig. 1; page 4 of Aoyama).

To clarify, Aoyama states that a user selects the displayed letter type by way of switching means (10b). That is, under Aoyama, selection of a letter type is

performed manually and cannot be reasonably described as automated to any appreciable extent. In other words, the karaoke device (10) of Aoyama has no way of knowing which letter type to display without the user selection made by way of the switch (10b). Please refer to the detailed description at page 6 Aoyama. This is not the same as the subject matter of the respectively amended claims of the pending Application.

### Ando

The Ando reference is directed to information stored on an optical disk (1), such information including text and a language code (Fig. 1; Abstract of Ando). During playback of the video and/or audio information on the optical disk (1), the text and language code information can be used for displaying subtitles by way of a character generator (kanji) ROM (122) of the playback apparatus (Para. 118 of Ando).

Under Ando, a one-to-one correspondence must exist between the language code recorded on a particular disk (1), and the language available in the ROM (122) or by way of signal tuner (108) of the apparatus, etc., in order to provide the sought-after subtitles or other information (Para. 120-126 of Ando). Thus, Ando provides for a system under which a single language code recorded on disk can be later used to coordinate various operations (display subtitles, etc.) that correlate directly to that language. This is not the same as the automatic subject matter of the respectively amended claims of the pending Application.

## Tashiro

Is drawn to a karaoke system (10) wherein multiple word tracks can be provided for each particular song stored within the system (Fig. 1; Col. 10, lines 35-44 of Tashiro). Each available word track under Tashiro is identified by an "arrange code" (*Id.*). This permits the word track being displayed (e.g., Japanese, parody, foreign language, etc.) to be changed during audio playback by simple user input (Col. 10, line 64 to Col. 11, line 2 of Tashiro). User selections and commands are input to the karaoke system (10) by way of a user-operated remote control (50) (Fig. 1; Col. 4, lines 25-29 of Tashiro).

It is important to note that, under Tashiro, any initial language selection or on-the-fly word track change is made by user selection from among those tracks available within the system. Tashiro relies on a one-to-one, direct match correspondence between the user input and the word track information that is displayed to the user by the karaoke system. This is not the same as the automatic subject matter of the respectively amended claims of the pending Application.

## Ostrover

Ostrover provides a system for combining numerous audio tracks on an optical disk (23) (Fig. 2; Abstract of Ostrover). Ostrover further explains that the system permits the inclusion of multiple languages on the same optical disk (23), wherein language selection is made by way of user menu choices (Fig. 5B; Abstract of Ostrover). Under Ostrover, any particular language used during audio and/or other playback is directly dependant upon a direct match menu selection made by a user. This is not the same as the automatic subject matter of the

lee&hayes

MSI-1547US M02

respectively amended claims of the pending Application.

### Okamura

This reference is directed to an apparatus (110A) for playing musical accompaniment to a user's singing, while the user views corresponding lyrics on a monitor (57) (Figs. 1 and 2A; Abstract; Col. 13, lines 3-5 of Okamura). Okamura further provides that lyrics in two or more languages can be provided for each song, wherein a user or users select the displayed lyrical language(s) by way input to an operation unit (15) (Fig. 2B; Col. 14, lines 60-65 of Okamura).

In this way, Okamura provides for a karaoke-like apparatus, wherein specific user selections are needed in order to display lyrics in a corresponding language. Okamura provides no teaching or suggestion that such language selections are anything but direct-match and user-driven in nature. This is not the same as the automatic subject matter of the respectively amended claims of the pending Application.

### Qian

Qian is drawn to handling synchronized audio, textual and/or multimedia data for playback in a computerized environment (Abstract of Qian). Under Qian, song lyrics can be edited and/or created, and then synchronized with a corresponding audio file by way of time stamp information (Abstract of Qian). In this way, Qian provides for displaying lyrical or other multimedia data to a user during audio file playback (Para. 75 of Qian). In short, Qian is generally directed

to a computerized context within which a user creates, edits and/or plays synchronized karaoke data files.

However, Qian does not propose or suggest automatic searching, selecting and/or identifying as respectively recited by the subject matter of the amended claims of the pending Application.

## Conclusion

In view of the foregoing, Applicant asserts that claims 1-8 and 32-48, as respectively amended, are in condition for allowance. Accordingly, Applicant requests a Notice of Allowability be issued forthwith. If the Office's next anticipated action is to be anything other than issuance of a Notice of Allowability, Applicant respectfully requests a telephone call for the purpose of scheduling an interview.

Respectfully submitted,

Dated: _12/21/06_          By: _____
                              Lance R. Sadler
                              Reg. No. 38,605
                              (509) 324-9256